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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/848,179 | 05/03/2001 | Xiaobao X. Chen | 12 | 7654 |

7590 09/08/2004

Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
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Holmdel, NJ 07733-3030

EXAMINER

LESNIEWSKI, VICTOR D

| ART UNIT | PAPER NUMBER |
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2155

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/848,179

Applicant(s)

CHEN, XIAOBAO X.

Examiner

Victor Lesniewski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/3/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined.
2. Claims 1-5 are now pending.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

4. The IDS filed on 5/3/2001 has been considered.

Drawings

5. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

- It is unclear where the specification supports the limitation in claim 1 of "processing Resource reSerVation Protocol messages *only within* the mobile terminal."

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. The term "future generation" in line 1 of claim 1 is a relative term which renders the claim indefinite. The word "future" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. There is no way to clearly understand how "processing Resource reSerVation Protocol messages" would take place in a "future" generation telecommunication network. Claims 2-5 are also rejected due to their dependence on claim 1.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Turunen et al.

(U.S. Patent Number 6,487,595), hereinafter referred to as Turunen.

12. Turunen has disclosed:

- <Claim 1>

In a third or future generation telecommunication network, a method of allocating resources for user traffic passing between a mobile terminal and a remote user, there being terminal equipment associated with the mobile terminal, said method comprising: processing Resource reSerVation Protocol messages only within the mobile terminal (column 5, lines 53-67 and column 6, lines 45-51).

- <Claim 2>

A method according to Claim 1 in which said messages are processed by a translation interface within the mobile terminal (column 6, lines 1-4).

- <Claim 3>

A method according to Claim 2 in which the translation interface is arranged to translate Resource reSerVation Protocol messages into and out of Packet Data Protocol Context messages (figure 3).

- <Claim 4>

A method according to Claim 2 wherein the translation interface is arranged to map the Resource reSerVation Protocol messages (column 6, lines 1-4).

- <Claim 5>

A method according to Claim 1 wherein Resource reSerVation Protocol messages are also mapped by the Gateway support node (column 6, lines 30-34).

Since all the limitations of the invention as set forth in claims 1-5 were disclosed by Turunen, claims 1-5 are rejected.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Kano et al. (U.S. Patent Number 6,453,349) disclosed a method for resource reservation in a network system.
- Chen et al. (U.S. Patent Number 6,654,610) disclosed two-way resource reservation techniques for use in UMTS and other telecommunication systems.
- Amin et al. (U.S. Patent Number 6,714,987) disclosed architecture for an IP centric distributed network.
- Almesberger, Werner; Ferrari, Tiziana; and Le Boudec, Jean-Yves, "Scalable Resource Reservation for the Internet," IEEE Conference on Multimedia Networking, November 24-27, 1997, pgs. 18-27.

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- Schelen, Olov; and Pink, Stephen, "Aggregating Resource Reservation over Multiple Routing Domains," IEEE Sixth International Workshop on Quality of Service, May 18-20, 1998, pgs. 29-32.
- Das, S. K.; Jayaram, R.; Kakani, N. K.; and Sen, S. K., "A Resource Reservation Mechanism for Mobile Nodes in the Internet," IEEE 49th Vehicular Technology Conference, May 16-20, 1999, volume 3, pgs. 1940-1944.
- Sallabi, F.; and Karmouch, A., "New Resource Reservation Architecture with User Interactions," IEEE Pacific Rim Conference on Communications, Computers, and Signal Processing, August 22-24, 1999, pgs. 456-459.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is currently 703-308-6165, and beginning October 27, 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VL

Victor Lesniewski
Patent Examiner
Group Art Unit 2155

M Alam

HOSAIN ALAM

SENIOR PATENT EXAMINER